

Office Memorandum • UNITED STATES GOVERNMENTTO : Files **OGC Has Reviewed**

DATE: 26 May 1949

FROM :

SUBJECT: Federal Tort Claims Act.

It is noted that the decision in *Spelar v. U.S.*, 171 F. (2nd) 208 (1949), considers a lend-lease airfield in Newfoundland within the "United States" for purposes of the Federal Tort Claims Act, and not within the specific exception to the Act for claims arising in a "foreign country". This was based largely on a previous holding that a Bermuda base of a similar type fell within the application of the Fair Labor Standards.

CWP/hw